

*Chapter 372 Policies and Procedures Under the Site Location Law rules:
Draft Amendments 8/11/2011*

All text in bold italics is descriptive or citation material intended to assist the reader, and is not part of the proposed amendments.

• ***Chapter 372 Section 12 Standard Conditions of Approval***

12. Standard Conditions of Approval. Unless otherwise specifically stated in the approval, all Board (or Staff) approvals shall be subject to the following standard conditions:

- A. Approval of Variations from Plans. The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation. Further subdivision of proposed lots by the applicant or future owners is specifically prohibited without prior approval of the Board, and the applicant shall include deed restrictions to that effect.
- B. Compliance with All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Compliance with All Terms and Conditions of Approval. The applicant shall submit all reports and information requested by the Board or the Department demonstrating that the applicant has complied or will comply with all preconstruction terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- D. Advertising. Advertising relating to matters included in this application shall refer to this approval only if it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- E. Transfer of Development. Unless otherwise provided in this approval, the applicant shall not sell, lease, assign or otherwise transfer the development or any portion thereof without prior written approval of the Board where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval shall be granted only if the applicant or transferee demonstrates to the Board that the transferee has the technical capacity and financial ability to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant.
- F. ~~Initiation of Development Within Two Years~~Time frame for approvals. If the construction or operation of the activity is not begun within ~~two~~four years, this approval shall lapse and the applicant shall reapply to the Board for a new approval. The ~~approval applicant~~ may not begin construction or operation of the development until a new approval is granted. ~~Reapplications for approval shall state the reasons why the development was not begun within two years from the granting of the initial approval and the reasons why the applicant will be able to begin the activity within two years from the granting of a new approval, if granted.~~ A ~~Re~~applications for approval may include

information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.

~~G. Reexamination After Five Years. If the approved development is not completed within five years from the date of the granting of approval, the Board may reexamine its approval and impose additional terms or conditions or prescribe other necessary corrective action to respond to significant changes in circumstances which may have occurred during the five year period.~~

~~HG.~~ Approval Included in Contract Bids. A copy of this approval must be included in or attached to all contract bid specifications for the development.

~~HI.~~ Approval Shown to Contractors. Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the developer a copy of this approval.